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- (a) "The instructions/data package sent to IP 42 via SCP 24 indicates what services are required or needed for the calling party, which may include fax retrieval, voice recognition, text-to-voice functions, digit collection, etc.;"
- (b) "faxing, voice, and text-to-voice conversion, each require a different type of 'communication protocol';" and
- (c) "the instructions/data package specifies the 'communication protocol,' (such as the protocol needed for faxing, voice, or text-to-voice conversion) and therefore, reads on 'a communication protocol parameter'."

Applicants agree that it is proper for the Examiner to assert that IP 42 corresponds to the intelligent peripheral of claim 1. Applicants have two points of disagreement with the above-outlined logical construct.

1. The Examiner's statement at line 6 of point 4 of the Office Action that there is an "instructions/data package sent to IP 42 via SCP 24" (emphasis supplied), coupled with the Examiner's reference to switch 10 at line 3 on page 5 of the Office Action, suggests that the Examiner is asserting that an instructions/data package is sent to IP 42 by switch 10 via SCP 24.

If that is the Examiner's assertion, then applicants respectfully disagree.

To review the reference's teaching - switch 10 sends a data package to SCP 24 to request aid in processing a call (see col. 6, lines 27-28) via STP 26 (col. 6, line 32). SCP 24 contains SLEE 32 which is "software [that] runs on SCP 24 and which manages and delivers calling services in response to data packages received from switch 10" (col. 6, line 40-42). Thus, "switch 10 issues data packages upon certain trigger events," and "SCP 24 responds to these data packages and manages the call processing based on the current version of SLEE 32" (col. 6, lines 59-62).

This clearly indicates that SCP 24 decides how to manage the call (what needs to be done and when), and the clear implication of this is that SCP 24 constructs the instructions/data package that is sent to IP 42. This conclusion is buttressed by the statement in col. 7, line 65 that IP 42 "acts as a slave of SCP 24 in delivering the requested resource" (emphasis supplied).

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Moreover, there is no contrary evidence. That is, there is no evidence that the SCP 24 serves as a mere conduit for transmitting the package from switch 10 to IP 42. Further, it would be illogical for switch 10 to send a package to IP 42 via a connection that includes link 28, STP 26, link 30, SCP 24, and link 46, when there is a direct connection to IP 42 via link 44.

Based on the above, applicants would agree that an instructions/data package is sent to IP 42 by SCP 24, but disagree that an instructions/data package is sent to IP 42 by switch 10 via SCP 24.

2. Applicants respectfully disagree that an instructions/data package that directs that something should be done corresponds to an alert message that "specifies a communication protocol parameter."

There is nothing in the reference to suggest that SCP 24 (or switch 10, which begins the process) cares what protocol IP 42 employs to carry out the requests submitted by SCP 24, as long the request is satisfied. Put in other words, a message that requests, for example, to convert text to voice -- which is the kind of message that Sattar et al teach --, is quite different from a message that requests to use the JPEG protocol, the MPEG-2 protocol, the MPEG-4 protocol, the TTCP protocol, or still some other protocol -- which is the kind of message that claim 1 specifies. The Sattar et al type directive specifies what is to be accomplished but does not really specify a particular protocol, whereas in contradistinction, the claim 1 type directive specifies a protocol, but does not specify what is to be accomplished with that protocol.

It is respectfully submitted, therefore, that the message defined in clause (a) of claim 1 is not taught by the instruction/data package described in the reference.

Additionally, as was noted above, the instructions/data package of Sattar et al that is received by IP 42 comes from SCP 24 (col. 7, lines 18-23), and SCP 24 is NOT a database unit. The phrase "a database unit (see Fig. 2 and SCP 24)" in line 4 of point 4 of the Office action indicates that the Examiner considers the SCP 24 unit to correspond to the "database unit" of claim 1, but that is not a demonstration that SCP 24 can be considered to be a database unit. In contradistinction, clause (a) of claim 1 specifies that

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the alert message comes "from a database unit." This forms another reason why clause (a) of claim 1 is not taught by Sattar et al.

Further, as stated by the Examiner, the package sent by SCP 24 "indicates [to IP 42] what services are required or needed" and, in response, the requested service is implemented in IP 42. As stated in col. 7, lines 20-23:

IP 42 then responds to the data package by executing a simple call processing resource, such as DTMP decoding or voice synthesis.

It is clear, therefore, that the consequence of the message from SCP 24 is execution of the requested action. In contradistinction, the consequence of the message specified in clause (a) of claim 1 is a step for establishing (clause (b) of claim 1)

a connection between said database unit and said intelligent peripheral to operate in accord with a protocol pointed to by said protocol parameter.

Put in other words, in order to find correspondence between Sattar et al and clause (b) of claim 1, Sattar et al must be teaching that in response to the message sent to IP 42 by SCP 24 (ignoring for now the fact that SCP 24 is NOT a database unit) a connection between IP 42 and SCP 24 is established that operates "in accord with the protocol pointed to by" the parameter found in the alert message. Respectfully no such establishing a connection takes place, and the Examiner has not pointed to anything in Sattar et al that might teach or suggest such an establishing of a connection. Therefore, it must be concluded that clause (b) of claim 1 is also not taught by the reference.

Clause (b) of claim 1 also specifies that the step of establishing is executed "with reference to a database within said intelligent peripheral." IP 42 has no database and, again, the Examiner has not pointed to anything in Sattar et al that might teach or suggest that IP 42 contains a database. This is another reason for concluding that clause (b) of claim 1 is not taught by the reference.

Regarding clause (c) of claim 1, which specifies a step of communicating information between the database unit and the IP, the Examiner has not pointed to anything in Sattar et al that might teach or suggest this step. The Examiner probably could point to some "communicating" and that would definitively identify the element that the Examiner considers to be the "database unit," but that the Examiner has not done.

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Regarding clause (d) of claim 1 the Examiner points to communication between switch 10 and IP 42 via link 44. This is an acceptable assertion, but having asserted that switch 10 corresponds to the switch of claim 1, the Examiner is precluded from asserting that switch 10 corresponds to the database unit of claim 1 because that is a different element in claim 1. Moreover, as demonstrated above, the latter assertion would be incorrect.

Based on the above, it is respectfully submitted that claim 1 is not anticipated by the reference.

The above arguments apply to claim 2 and, by extension, to claims 3-15, which depend on claim 2.

An additional argument regarding claim 3:

The Examiner points to the passage at col. 7 lines 18-27, which states:

IP 42 is dependent on SCP 24 for its instructions. In operation, SCP 24 sends a data package to IP 42 along any of the possible communication links described above. IP 42 then responds to the data package by executing a simple call processing resource, such as DTMF decoding or voice synthesis. After performing the simple task, IP 42 transmits a data package back to SCP 24 indicating completion of the resource. At all times, SCP 24 maintains control over the call and directs IP 42 to perform certain call processing resources not supported by SCP 24.

This passage is all about an instruction to do something, such as DTMF decoding. It is NOT about protocols. The word "protocol" is not even mentioned in this passage. In contradistinction, claim 3 specifies that the message defined in claim 2 actually specifies a protocol and, even more specifically, does so by specifying (1) "a parameter of a protocol that uniquely specifies a protocol," and (2) "operating parameter of said protocol." Nothing like that is taught or suggested by the above-quoted passage.

The Examiner also points to the passage at cols. 7-8, lines 64-5, which states:

Thus, IP 42 responds to a resource request from SCP 24, in this case a text-to-voice operation, and acts as a slave of SCP 24 in delivering the requested resource. Using this architecture, IP 42 may perform several different functions including voice recognition, fax retrieval and reporting functions, digit collection, and text-to-voice functions, among other functions. In delivering these resources, IP 42 depends on SCP 24 to initiate and oversee the call processing.

This passage, like the col. 7 lines 18-27 passage, speaks of IP 42 being requested, or directed, to perform various functions, but it is NOT about protocols. Here, too, the word

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"protocol" is not even mentioned. Clearly, the claim 3 limitations that are mentioned above are not taught or suggested by the above-quoted passage. Therefore, it is respectfully submitted that claim 3 is not anticipated by the reference.

In light of the above remarks, it is respectfully submitted that the rejection of claims 1-15 has been overcome. Reconsideration and allowance are respectfully solicited.

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Respectfully,
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